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| 09/494,690      | 01/31/2000  | Steven Antosz        | C99-879/US/1        | 3800             |

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EXAMINER

DETWILER, BRIAN J

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/494,690

Applicant(s)

ANTOSZ, STEVEN

Examiner

Brian J Detwiler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,486,899 (Bush, Jr.) and U.S. Patent No. 6,380,951 (Petchenine et al).

Referring to claims 1 and 7, Bush discloses in columns 1 and 2 a computer implemented apparatus for examining a supply chain. In column 1: lines 25-50, Bush specifically explains how supply chains are typically modeled within manufacturing environments. Complex manufacturing operations inherently comprise a plurality of areas, each being a separate entity of a supply chain. Bush further discloses in column 1: lines 54-64, a presentation interface or template for supplying a workspace to depict a desired supply chain. The workspace is further illustrated in Figure 3 and comprises predefined icons to depict various factors of the supply chain. In column 6: lines 51-62, Bush specifically discloses icons representing factors of an automotive supply chain. As will be understood after further inspection of the invention, Bush focuses purely on the visualization of supply chain logistics and therefore fails to provide a graphical method for the actual construction of supply chain models. In column 3: lines 54-60, Bush states only that a user interface is provided for inputting data. Accordingly, Bush fails to disclose a stencil for storing icons associated with the manufacturing areas. Petchenine,

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however, discloses in column 1: lines 29-45, a graphical user interface for constructing a workflow operation. Although Petchenine's invention is directed specifically toward a prepress operation, the interface could be generically applied to any sort of workflow or supply chain management system. A supply chain is merely a macro form of an assembly line in which materials are gathered and assembled to form a final product. In Figure 1, Petchenine discloses a stencil (modules toolbar [106]) for storing icons associated with different steps in the prepress workflow. Icons are dragged from the stencil and dropped into palette [104] to construct the workflow. These icons could very easily represent factors of a supply chain and be associated with a variety of manufacturing areas. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Petchenine's interface for constructing a workflow/supply chain model in combination with Bush's supply chain logistics examining program. It would have been beneficial to combine the two inventions to create a single program and interface for constructing and analyzing the logistics of a supply chain model. Bush even suggests in column 2: lines 49-54 that his invention could be a part of a larger supply chain management system.

Referring to claims 2 and 8, Petchenine explains in column 1: lines 37-45 that icons can be dragged from the stencil (modules toolbar [106]) to the template (design palette [104]).

Referring to claims 3 and 9, Bush discloses in Figure 3 icons connected to show a supply chain flow, and Petchenine disclose in Figure 1 icons connected to show a workflow.

Referring to claims 4 and 10, Petchenine discloses in column 9: lines 25-42 that workflow configurations can be saved as a file and later opened via menu commands or keyboard shortcuts. The saved configurations comprise a plurality of icons that populated into

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the workflow framework. A user could easily establish a “main” configuration to which all modifications and adjustments are applied. Therefore, in combination with Bush’s invention, the saved configurations could serve as perspective templates for evaluating a manufacturing operation.

Referring to claims 5 and 11, the icons in the stencil disclosed by Petchenkine represent the process flow of a prepress operation. The different steps of a prepress operation and the icons that represent them are detailed throughout Petchenkine’s disclosure.

Referring to claims 6 and 12, because Bush’s invention is specifically directed towards the logistics of a supply chain model, it would have been obvious to use the configuration saving method of Petchenkine described above to create a logistics template.

Referring to claim 20, Bush introduces a system for analyzing a supply chain in columns 1 and 2. Bush further explains in column 3: lines 1-10 that one supply chain model “represents the tasks and resources associated with each product in a supply chain, preferably at multiple levels of detail or aggregation.” Additionally, Figure 3 illustrates how suppliers can be geographically removed from one another. In column 3: lines 11-34, Bush explains how the system can help optimize the delivery of materials. Figure 2B shows a visual display of a template having a pre-arranged supply chain representation. In column 9: lines 66-67 and column 10: lines 1-6, Bush discloses that the visual display can be manipulated through rearrangement or rotation around an axis. Therefore, the supply chain model could be configured to provide information about the supply chain in a format oriented to a particular viewpoint of a participant in the supply chain. Bush, though, fails to disclose a stencil including a plurality of iconic representations of elements. Petchenkine, as mentioned above, provides

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such a stencil that can be used to design workflows. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions of Bush and Petchenkine for the motivation applied to claims 1 and 7 above.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach alternative graphical user interfaces for supply chain/workflow modeling.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on 703-308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

bjd  
January 8, 2003

A handwritten signature in black ink, appearing to read 'John Cabeca', with a long horizontal flourish extending to the right.

**JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**